

REMARKS

Summary of the Office Action

Claims 1, 3-6, 11, and 16 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Sakata et al. (U.S. Patent 7,665,925; U.S. Pub. 2005/0175434; and PCT WO03/093025) (“*Sakata*”).

Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Sakata* further in view of Okumura et al. (U.S. Patent 6,089,558) (“*Okumura*”).

Claims 7-9 and 12-15 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Summary of the Response to the Office Action

Applicants traverse the rejections. Claims 1 and 3-18 are pending with claims 1 and 3-16 under consideration.

The Rejections under 35 U.S.C. §§ 102 and 103

Claims 1, 3-6, 11, and 16 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over *Sakata*. Claim 10 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Sakata* further in view of *Okumura*. Applicants respectfully traverse the rejections for at least the following reasons.

(i) Claims 1, 3-6, 10, 11, and 16

With respect to independent claims 1 and 16, Applicants submit that *Sakata* fails to disclose the feature “a second positioning mechanism for positioning the sheets of paper in a direction perpendicular to the sheet conveyance direction.” The Office Action alleges that pinch portions 64 are a second positioning mechanism as claimed. Applicants respectfully disagree. Pinch portions 64 clutch ends of the spine portion of the binder. *Sakata*, col. 9, ll. 19-23. Pinch portions clutch the binder before the loose-leaf paper is mounted on the paper table 52. *Sakata*, col. 9, ll. 37-45. Pinch portions 64 do not position sheets of paper, much

less position sheets of paper in a direction perpendicular to the sheet conveyance direction. Accordingly, pinch portions 64 are not a second positioning mechanism as claimed.

Because *Sakata* fails to disclose each and every feature of independent claims 1 and 16, Applicants respectfully request that the rejections of claims 1 and 16 under 35 U.S.C. § 102 be withdrawn. Further, because the rejections under 35 U.S.C. § 103 are premised on the allegation that *Sakata* discloses a second positioning mechanism as claimed, and *Sakata* fails to disclose this feature, Applicants request that the rejections of claims 1 and 16 under 35 U.S.C. § 103 be withdrawn. Further, Applicants submit that claims 3-6, 10, and 11 are allowable at least because of their respective dependencies from independent claim 1 and the reasons set forth above. *Okumura* does not remedy the deficiencies of *Sakata* discussed above.

(ii) Claim 4

With further respect to dependent claim 4, Applicants submit that *Sakata* fails to disclose an upper side slide pin as claimed. The Office Action alleges that stopper pins 59 are an upper side slide pin as claimed. Applicants respectfully disagree. As claimed, “the upper side slide pin is inserted into a punch hole formed on the sheets of paper.” By contrast, as shown in Fig. 9 of *Sakata*, stopper pins 59 are not “inserted into a punch hole.” Instead, stopper pins are located outside the periphery of paper P. As disclosed in col. 9, lines 50-53, sheets of paper P are “positioned properly by abutting the back of the loose-leaf paper P against the front of the stopper pins 59.” For at least this additional reason, Applicants respectfully request that the rejection of claim 4 under 35 U.S.C. §§ 102 and 103 be withdrawn.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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